

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JIMMIE LEE BROOM,

Plaintiff,

Case No. 1:06-CV-350

v.

Hon. Gordon J. Quist

JOHN S. RUBITSCHUN, et al.,

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on October 3, 2006. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C). Therefore,

IT IS HEREBY ORDERED that the Report and Recommendation of the Magistrate Judge, filed October 2, 2006, is approved and adopted as the opinion of the Court.

IT IS FURTHER ORDERED that this case is dismissed without prejudice because Plaintiff has failed to show exhaustion as required by 42 U.S.C. § 1997e(a).

Dated: November 17, 2006

/s/ Gordon J. Quist
GORDON J. QUIST
UNITED STATES DISTRICT JUDGE